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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 JOHN A.H. EDSALL, SR.,

11 Plaintiff,

No. CIV S-02-2155 GEB GGH P

12 vs.

13 R.N. JOHNSON, et al.,

14 Defendants.

ORDER

15 _____/
16 Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to
17 42 U.S.C. § 1983.

18 On March 6, 2006, plaintiff a request for extension of time to file a motion to
19 compel. On March 15, 2006, the court granted plaintiff's first request and granted plaintiff thirty
20 days to file a motion to compel. In this order, the court also re-set the dates set in the scheduling
21 order. On April 24, 2006, plaintiff filed his second request for extension of time to file a motion
22 to compel. On May 17, 2006, the court granted plaintiff thirty days to file his motion to compel.

23 The grounds of all of plaintiff's requests for extension of time were that on
24 December 22, 2005, he was placed in administrative segregation and had since been unable to
25 gain access to his legal property.

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1 On September 19, 2006, the court ordered the Warden of Salinas Valley State
2 Prison to inform the court whether plaintiff had access to his legal property. On September 25,
3 2006, the Warden filed a letter with the court stating that on September 19, 2006, plaintiff
4 received his legal property.

5 The court will grant plaintiff thirty days from the date of this order to file a motion
6 to compel. Following resolution of that motion, the court will order plaintiff to file an opposition
7 to defendants' motion for summary judgment filed September 29, 2006.

8 Accordingly, IT IS HEREBY ORDERED that within thirty days of the date of this
9 order, plaintiff may file a motion to compel.

10 DATED: 10/30/06

/s/ Gregory G. Hollows

GREGORY G. HOLLOWS
UNITED STATES MAGISTRATE JUDGE

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